

SFP: 2010-3955  
Ref: 09 CIV 289 (RMB) (HBP)

CERTIFICATE - ATTESTATION

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention  
L'autorite soussignée a l'honneur d'attester conformement a l'article 6 de ladite Convention.

1) that the document has been served the (date) 23 June 2010  
que le demande a ete executee le (date)

-at (place, street, number) ERNST & YOUNG GLOBAL LIMITED (COMPANY NO.  
-a (localite, rue, numero) 04328808)  
BECKET HOUSE  
1 LAMBETH PALACE ROAD  
LONDON  
SE1 7EU

- in one of the following methods authorised by article 5:

-dans une des formes suivantes prevues a l'article 5:

a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the  
convention

selon les formes legales (article 5, alinea premier, lettre a)

b) in accordance with the following particular method  
selon la forme particuliere suivante

c) by delivery to the addressee, who accepted it voluntarily  
par remise simple

The documents referred to in the request have been delivered to: Gillian Haselden

Les documents mentionnes dans la demande ont ete remis a:

- (identity and description of person)

- (identite et qualite de la personne)

- relationship to the addressee (family, business or other) Deputy General Counsel

- liens de parente de subordination ou autres avec  
le destinataire de l'acts

2) that the document has not been served, by reason of the following facts:  
que la demande n'a pas ete executee, en raison des faits suivants:

in conformity with the second paragraph of article 12 of the Convention, the applicant is requested to  
pay the expenses details in the attached statement.  
Conformement a l'article 12, alinea 2 de ladite Convention, le requerant est prie de payer ou de  
rembourser les frais dont le detail figure au memoire ci-joint

Annexes

Documents returned  
Pieces renvoyees

in appropriate cases, documents  
establishing the service:  
le cas echeant, les documents  
justificatifs de l'execution:

Done at London  
fait a

the 5 July, 2010  
le

Signature and/or stamp:  
Signature et/ou cachet:



Civil Case No.: 09 CIV 289 (RMB) (HBP)

**SUMMARY OF THE DOCUMENT TO BE SERVED**  
**ELEMENTS ESSENTIELS DE L'ACTE**

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

*Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 Novembre 1965.*

(article 5, fourth paragraph)  
(article 5, alinéa 4)

**ZURUCKSENDEN TO RETURN**  
**à retourner - da restituer**

Name and address of the requesting authority: Karina Shreefer, Esq.  
Nom et adresse de l'autorité requérante : LEGAL LANGUAGE SERVICES  
8014 State Line Road, Suite 110, Leawood, Kansas 66208, U.S.A.  
Tel. 1.913.341.3167

## Particulars of the parties\*:

Identité des parties : IN RE HERALD, PRIMEO AND THEMA FUNDS SECURITIES LITIGATION

**JUDICIAL DOCUMENT\*\***  
**ACTE JUDICIAIRE**

## Nature and purpose of the document:

Nature et objet de l'acte : To give notice to the Defendant of the commencement of a civil claim against it and to summon it to answer or otherwise respond.

## Nature and purpose of the proceedings and, where appropriate, the amount in dispute:

Nature et objet de l'instance, le cas échéant, le montant du litige : A civil action has been commenced against the Defendant.

## Date and place for entering appearance\*\*:

Date et lieu de la comparution : Within twenty-one (21) days after service of the Summons (not counting day of receipt), Defendant must serve upon the Plaintiff's Attorney (Cohen Milstein Sellers & Toll PLLC) an Answer to the attached Complaint or a Motion under Rule 12 of the Federal Rules of Civil Procedure. Defendant also must serve its Answer or Motion with the court Clerk of the United States District Court, Southern District of New York located at: 500 Pearl Street, New York, New York 10007, U.S.A.

## Court which has given judgment\*\*:

Jurisdiction qui a rendu la décision : N/A

## Date of judgment\*\*:

Date de la décision : N/A

## Time limits stated in the document\*\*:

Indication des délais figurant dans l'acte : Within twenty-one (21) days after service of the Summons (not counting day of receipt), Defendant must serve upon the Plaintiff's Attorney (Cohen Milstein Sellers & Toll PLLC) an Answer to the attached Complaint or a Motion under Rule 12 of the Federal Rules of Civil Procedure. Defendant also must serve its Answer or Motion with the Court. If Defendant fails to respond, judgment by default will be entered against it for the relief demanded in the Complaint.

**EXTRAJUDICIAL DOCUMENT\*\***  
**ACTE EXTRAJUDICIAIRE**

## Nature and purpose of the document:

Nature et objet de l'acte : N/A

## Time limits stated in the document\*\*:

Indication des délais figurant dans l'acte : N/A

\* If appropriate, identity and address of the person interested in the transmission of the document.  
S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.

\*\* Delete if inappropriate.  
Rayer les mentions inutiles.

Civil Action No.: 09 CIV 289 (RMB) (HBP)

**NOTICE**

*(recommended by the Fourteenth Session of  
Hague Conference of October, 1980)*

**identité et adresse du destinataire**  
*identity and address of the addressee*

ERNST & YOUNG GLOBAL LIMITED  
(Company No. 04328808)  
Becket House  
1 Lambeth Palace Rd.  
London SE1 7EU  
UNITED KINGDOM

**TRÈS IMPORTANT**

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES "ÉLÉMENTS ESSENTIELS DE L'ACTE" VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET. IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MÊME DU DOCUMENT. IL PEUT ÊTRE NÉCESSAIRE DE DEMANDER UN AVIS JURIDIQUE.

SI VOS RESSOURCES SONT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITÉ D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE SOIT DANS VOTRE PAYS SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT.

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITÉS D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE DU DOCUMENT PEUVENT ÊTRE ADRESSÉES :

Legal Services for New York City  
350 Broadway  
New York, New York 10013  
U.S.A.  
Tel. 1.212.431.7200

**IMPORTANT**

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE "SUMMARY OF THE DOCUMENT TO BE SERVED" WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD, HOWEVER, READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

Legal Services for New York City  
350 Broadway  
New York, New York 10013  
U.S.A.  
Tel. 1.212.431.7200